

ST. CHARLES PARISH
PLANNING BOARD OF COMMISSIONERS
NOVEMBER 6, 2014
7:00 P.M.

CALL TO ORDER
PLEDGE OF ALLEGIANCE

TABLED CASE:

1 PZS-2014-41

Requested by: Lloyd Frickey for resubdivision of the east ½ of Lot 13 of Addition to Mosella Subdivision into Lots 13-A and 13-B in Section 37, T14S R20E, (14345 Hwy 631), near Paradis. Zoning District R-1A(M). Council District 4. **This request requires a recommendation from the Planning Commission and an ordinance by the Council. Forward to Council December 1, 2014.**

PUBLIC HEARINGS:

5 PZHO-2014-06

Requested by: Eric V. Rozycki for a home occupation – “Evrclr Auto Titles” at 105 Ormond Blvd., Destrehan Zoning District R-1B. Council District 3. **This request requires a recommendation from the Planning Commission and an ordinance by the Council. Forward to Council December 1, 2014.**

8 PZR-2014-16

Requested by: Ricky L. Cooper to change the zoning classification from R-1A(M) to R-2 at 516 St. Rose Ave., St. Rose. Council District 5 **This request requires a recommendation from the Planning Commission and an ordinance by the Council. Forward to Council December 1, 2014.**

11 PZR-2014-17

Requested by: Robert Monti, Paul Muller, Joey Bosco and Greg Mollere for a change of zoning classification on several properties from C-2 and R-1A(M) to C-3 at 100, 200, 202, 204, 208, 220, 300, 301, 302 304 and 310 Paul Maillard Road, and 13513, 13505 River Road, and also 105 Luling Avenue, all in Luling. Council District 2. **This request requires a recommendation from the Planning Commission and an ordinance by the Council. Forward to Council December 1, 2014.**

24 PZR-2014-18

Requested by: Alvin Guillard for a change in zoning classification from OL to C-2 at (Lots 16-22, Sq. 79, New Sarpy Subdivision) Council District 6. **This request requires a recommendation from the Planning Commission and an ordinance by the Council. Forward to Council December 1, 2014.**

30 PZS-2014-48

Requested by: Ridgeland Properties, LLC for resubdivision of lots indicated as Portion of Parcel A of Ridgeland Properties LLC, Mrs. Henrietta Hines, and Lot 21-A Magnolia Ridge Ranchettes Phase 2A into Lots 21-A-1, 21-A-2, and 21-A-3 (located at 1070 Magnolia Ridge Road), Boutte. Zoning District OL. Council District 4. **This request requires a recommendation from the Planning Commission and an ordinance by the Council. Forward to Council December 1, 2014.**

35 PZO-2014-20

Requested by: Paul J. Hogan, PE, Councilman, District IV for an ordinance to amend the Code of Ordinances Appendix A, St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations., B. Residential districts, [II.] R-1A(M Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes – Medium density., 3. Special Provisions, by amending c and adding e. and f. **This request requires a recommendation from the Planning Commission and an ordinance by the Council. Forward to Council December 1, 2014.**

37 PZO-2014-21

Requested by: Paul J. Hogan, PE, Councilman, District IV for an ordinance to amend the Code of Ordinances Appendix, A, Section XIV., Amendments and Petitions and Appendix A, Section XV. Amendment Procedure to modify the reporting and recommendation requirements. **This request requires a recommendation from the Planning Commission and an ordinance by the Council. Forward to Council December 1, 2014.**

39 PZRES-2014-01

Requested by: St. Charles Parish Planning & Zoning Department for a Resolution of the St. Charles Parish Board of Planning Commission approving and adopting the Paul Maillard Road Revitalization Plan.

OLD BUSINESS

NEW BUSINESS

MINUTES – October 2, 2014

ADJOURN

St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZS-2014-41

GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Lloyd Frickey
152 Bayou Estates Dr.
Des Allemands LA 70030
985.758.2936
Lfrickey2@cox.net

Application Date: 8/12/14

◆ **Location of Site:**

14345 Old Spanish Trail, Boutte.

◆ **Requested Action:**

Resubdivision of east half of Lot 13 of the addition to Mosella Subdivision into Lots 13-A & 13-B.

SITE-SPECIFIC INFORMATION

◆ **Size of Parcel:**

20,587 sq. ft.

◆ **Plan 2030 Recommendations:**

Moderate Density Residential.

◆ **Zoning and Land Use:**

R-1AM. *Single-Family Residential Detached Conventional Homes, Manufactured Homes & Mobile Homes*—Medium Density.

◆ **Surrounding Land Uses and Zoning:**

R-1AM zoning surrounds site; R-1AM & R-1A land uses surrounds site.

◆ **Utilities:**

Utilities available on Old Spanish Trail, none on US 90.

◆ **Traffic Access:**

Old Spanish Trail and US 90.

APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure E. 4.

C. Minor Resubdivisions.

In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning & Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein.

ANALYSIS

This application was tabled at the October 2014 Commission meeting due to concerns raised by the Department pertaining to frontage width of proposed Lot 13-A and sewer connection accessibility for proposed Lot 13-B. Both issues have been resolved.

The site fronts on both Old Spanish Trail and US 90 in Boutte approximately 1748 feet west of Fourth Street and approximately 530 feet east of Hills Street. A house fronts on Old Spanish Trail and other than a small shed, the remainder of the lot is vacant.

With public sewer and water lines along Old Spanish Trail but only a water line fronting US 90, the need for sewer connection for Lot 13-B was evident. But because this lot does not meet the minimum area required to install individual sewer treatment, the only option available for sewer connection would be from Old Spanish Trail through Lot 13-A. The Department recommended that a private 10-foot utility servitude through Lot 13-A be denoted on the plat for the purpose of installing sewer service. The revised plat includes this.

Pertaining to the frontage width of Lot 13-A, the revised plat denotes both a “measured” width and “actual” width. The Department finds this to be sufficient.

Therefore, all issues mentioned about the plat at the October 2014 meeting have been resolved and the plat meets all requirements for approval.

DEPARTMENTAL RECOMMENDATION

Approval.

TITLE: SURVEY PLAT AND RESUBDIVISION OF THE EAST HALF OF LOT 13 OF THE ADDITION TO MOSELLA SUBDIVISION DESIGNATED AS LOTS 13-A & 13-B OF THE ADDITION TO MOSELLA SUBDIVISION SITUATED IN SECTION 37, T-14-S, R-20-E, near PARADIS, ST. CHARLES PARISH, LOUISIANA.

DATE: SEPTEMBER 25, 2014 REVISED TO SHOW UTILITY SERVITUDE 10/27/2014

SURVEY REFERENCE:

1. SURVEY PLAT AND RESUBDIVISION OF LOT 10 & LOT 11 OF THE ADDITION TO MOSELLA SUBDIVISION INTO LOTS HEREIN DESIGNATED AS LOTS 10-A, 10-B, 11-A, 11-B OF THE MOSELLA SUBDIVISION BY STEPHEN P. FLYNN, P.L.S., DATED 3/15/2013.
2. SURVEY OF ONE HALF OF LOT 13 ADDITION TO MOSELLA SUBDIVISION BY LUCIEN C. GASSEN, P.L.S., DATED 9/18/1996.
3. SURVEY AND RESUBDIVISION OF LOT 12 OF ADDITION TO MOSELLA SUBDIVISION INTO LOTS 12-A & 12-B BY R.P. BERNARD, P.L.S., DATED 4/8/2004.

BASIS OF BEARING: WEST LINE OF LOT 12-B TAKEN FROM REFERENCED SURVEY PLAT NO. 3.

FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "AE" PER FEDERAL INSURANCE RATE MAP NUMBER 22010D-0125G DATED 6/18/1992. UNDER THE DIRECTION OF THE UNDERIGNED AND COMPLEES WITH THE REQUIREMENTS OF LOUISIANA'S "STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS B SURVEY.

SURVEYOR'S NOTES:

- A. THIS PLAT IS CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND.
- B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVITUDES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.
- C. NO UNDERGROUND LINES OR CONDUITS SHOWN.
- D. MINIMUM SETBACK LINES AND SERVITUDES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT.

FOR FINAL DETERMINATION, THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED.

RIVERLANDS SURVEYING COMPANY
505 HEMLOCK DRIVE
LAPLACE, LA 70068
1-800-248-6982
986-652-6356

DRAWN BY: BJD
DRAWING NO. MM0793A



- LEGEND**
- #4 IRON ROD SET
 - #4 IRON ROD FOUND
 - FENCE
 - POWER LINE
 - (M) MEASURED
 - (T) TITLE

APPROVED: _____
PARISH PRESIDENT

DATE _____

CHAIR, PLANNING AND ZONING COMMISSION

DATE _____

PARISH COUNCIL CHAIRMAN

DATE _____

CERTIFICATION: THIS IS TO CERTIFY THAT THIS PLAT IS MADE IN ACCORDANCE WITH LA. REVISED STATUTES 33:6051 ET. SEQ. AND CONFORMS TO ALL PARISH ORDINANCES GOVERNING THE SUBDIVISION OF LAND.

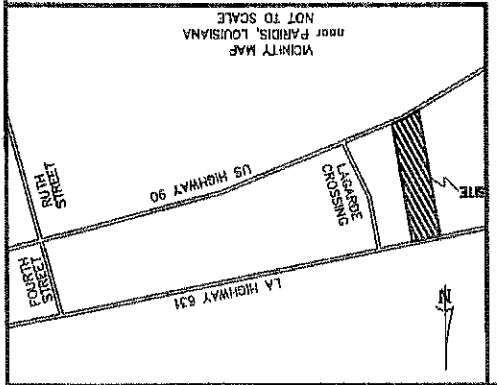
RECORDED IN THE CLERK OF COURT'S OFFICE

ST. CHARLES PARISH ON THE _____

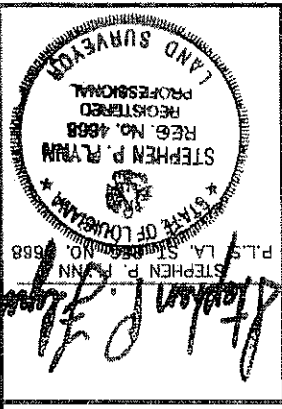
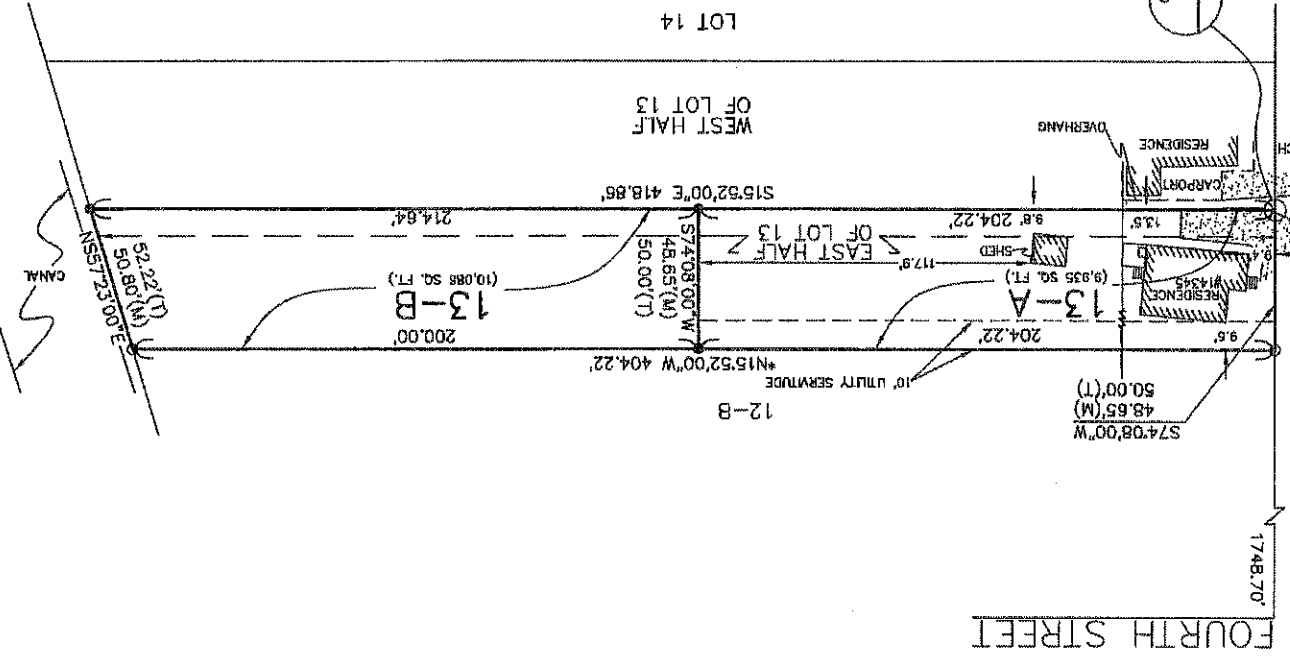
DAY OF _____ IN BOOK _____

FOLIO _____ ENTRY # _____

ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY EXTENSIONS SHALL BE MADE BY AND SOLELY AT THE LOT OWNER'S EXPENSE

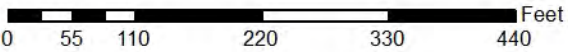


US HIGHWAY 90
WEST BOUND TRAVEL LINE



DEVELOPER: L.J. FRICKER
162 BAYOU ESTATES DRIVE
DES ALLEMANDS, LA 70030
985-758-2936

PZS-2014-41
Requested by L.J. Frickey
Resubdivision of East Half of Lot 13
Into Lots 13-A & 13-B



LAND USE REPORT
CASE NUMBER: PZHO 2014-06

♦ **Name/Address of Applicant:** Eric V. Rozycki
105 Ormond Boulevard
Destrehan, LA 70047
985.221.6915
eric.rozycki@att.net

Application Date: 10/6/14

◆ **Description of business:**
Notary/auto title company. Public tag agent. Will meet clients at different sites as required and use home as the business domicile for mailing address, document/file management, and file storage.

◆ **Existing Land Use and Zoning:**
Single family residence in an R-1B zoning district surrounded by R-1B single-family houses on all sides.

- ◆ **Traffic Access and parking:**
The property is developed with a long, wide driveway that could stack as many as 15 passenger cars—however, customers will not be come to the residence.

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. Pre-Application Orientation: The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. Application: A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. Departmental Review: The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. Public Notice and Comment:
 - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. Determination: The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
 - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
 - c. Deny the application.

C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § I, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

FINDING

The applicant requests special permission to use his house, which he has owned since 1994, as the office for Evrclr Auto Titles. The application appears before the Planning Commission because of the need for licensing by the Department of Public Safety/Office of Motor Vehicles and also because of the need for certification by the Louisiana Secretary of State (Notarial Certificate).

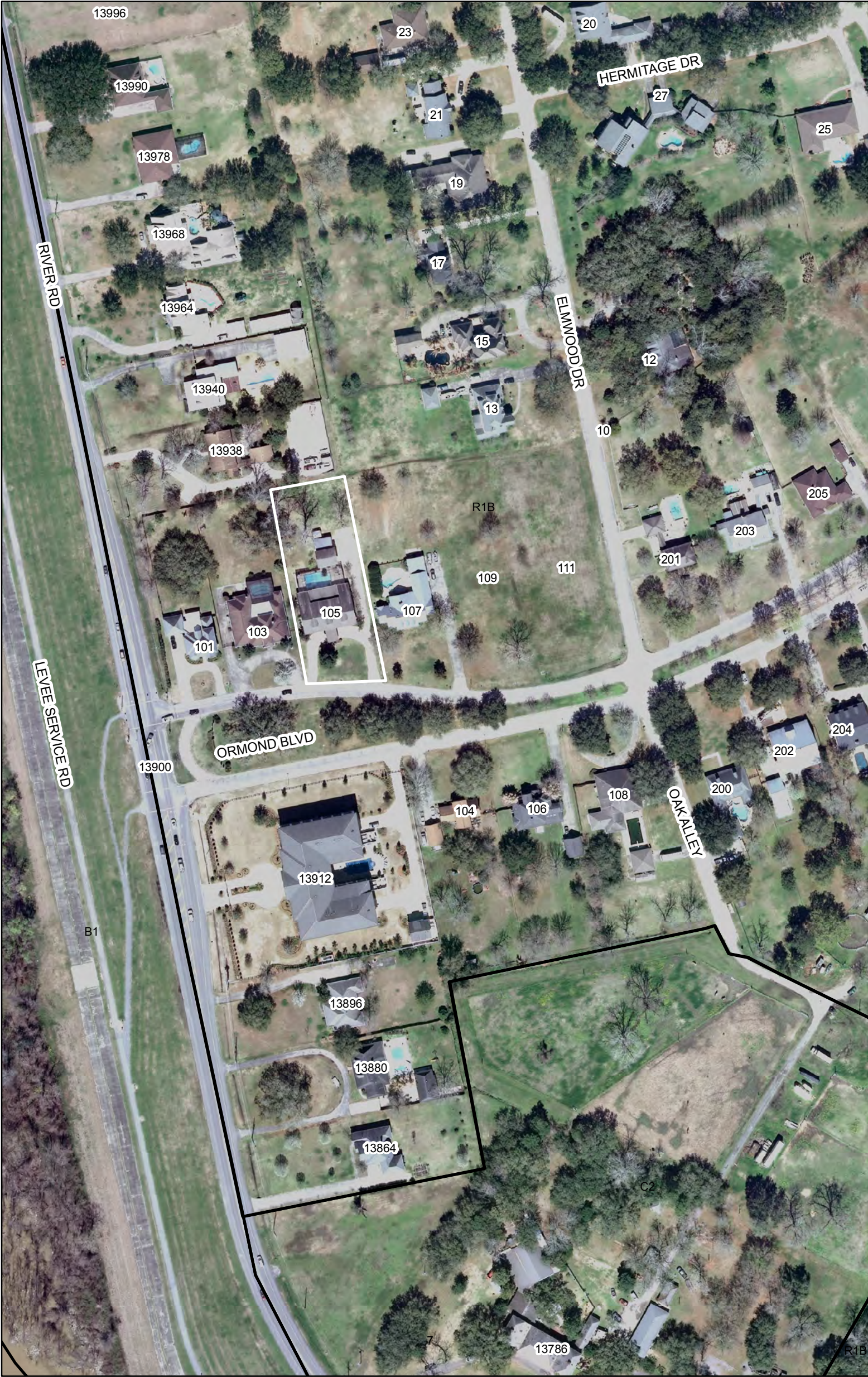
The completed application for a home occupation shows that the business owner agrees to the operational regulations for home occupations. He has been informed that zoning compliance and a permit for a home based business does not negate any restrictive covenants on the property they are renting.

DEPARTMENT RECOMMENDATIONS

Approval with the following stipulation:

- 1. Customers shall not visit the residence for services.**

PZSHO 2014-06
Requested b Eric Rozycki
For a home office for EVRCLR Titles
At 105 Ormond Boulevard



St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR-2014-16

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:**
Ricky L Cooper
51 Yellowstone St
Kenner LA 70065
504.417.5622
rickycooper32@yahoo.com
- ◆ **Application Date:**
9/25/14
- ◆ **Location of Site:**
516 St Rose Ave.
- ◆ **Requested Action:**
Rezone from: R-1AM—*Single-Family Residential, Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium Density.*
To: R2—*Two-Family Residential.*

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
Approx. 8,820 sf
- ◆ **Plan 2030 Recommendations:**
Low Density Residential
- ◆ **Existing Zoning and Land Use:**
R-1AM, with house on site.
- ◆ **Traffic Access:**
St. Rose Ave.
- ◆ **Surrounding Zoning and Land Uses:**
Surrounding Zoning:
R-1AM on Railroad side and across street
R-1A to rear; C-1 on River Road side.
Surrounding Land Uses:
Residential on railroad side and across street;
Daycare on River Road side
Sparse residential to rear.
Site is approximately 400-feet from group of similar multi-family units.
- ◆ **Utilities:**
Existing

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. *Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:*
 - a. *Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.*
 - b. *Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.*
 - c. *Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.*
2. *The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:*
 - a. *Undue congestion of streets and traffic access.*
 - b. *Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.*
 - c. *Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.*

- d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.*
- 3. *The proposed zoning change is in keeping with zoning law and precedent, in that:*
 - a. It is not capricious or arbitrary in nature or intent.*
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.*
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.*
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.*

ANALYSIS

This is a request to rezone a site from R-1AM to R-2. The structure on the site was previously a daycare that has ceased operation. If the rezoning request is approved, the owner intends to renovate the building and convert it to a duplex.

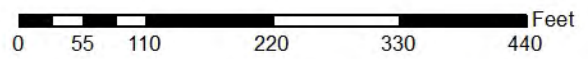
Based on conceptual plans submitted with this application, it does not appear that the physical appearance of the structure will be modified. It will look more like a single-family residential structure than it does presently. The land uses surrounding the site are primarily single-family residential and there are a group of multi-family buildings approximately 400-feet from the site. Therefore, the proposed conversion of the vacant day-care building to a duplex will make it more similar to the predominant land uses in the neighborhood than the previous use.

Because the nature of the previous use was more commercial and therefore had more people onsite throughout its operation, it placed more demands on public infrastructure than a duplex would place. It likely resulted in more noticeable congestion due to vehicles coming to and from the site during operation. Conversion of the site to a duplex will significantly reduce the number of vehicle movements since traffic generated with residential uses are lower than daycares do. The site only requires 5 onsite parking spaces and has at least 6 spaces. The comings and goings throughout the average day will be similar to the activity generated by neighboring uses. Finally, because there is a significant gap between demand for duplexes in the community and availability, adding this site to the housing stock is beneficial to the community. Based on all of these facts, the Department concludes that this application **meets all of the standards of the second criteria.**

DEPARTMENTAL RECOMMENDATION

Approval.

**Requested by Ricky Cooper
To Rezone from R-1AM to R-2**



St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR-2014-17

GENERAL APPLICATION INFORMATION

- | | | | | | | | | | | | | | | | |
|--|------------------|--------------------|------------------|-------------|------------|--------------|------------------|------------------|--------------------|------------|------------------|------------------|------------------|------------------|---|
| <p>◆ Name/Address of Applicant/Owner:</p> <table border="0"> <tr> <td>Robert Monti</td> <td>Paul Muller</td> <td>Joey Bosco</td> <td>Greg Mollere</td> </tr> <tr> <td>350 Evelyn Drive</td> <td>240 Wanda Street</td> <td>406 Maryland Drive</td> <td>PO Box 186</td> </tr> <tr> <td>Luling, LA 70070</td> <td>Luling, LA 70070</td> <td>Luling, LA 70070</td> <td>Luling, LA 70070</td> </tr> </table> | | | Robert Monti | Paul Muller | Joey Bosco | Greg Mollere | 350 Evelyn Drive | 240 Wanda Street | 406 Maryland Drive | PO Box 186 | Luling, LA 70070 | Luling, LA 70070 | Luling, LA 70070 | Luling, LA 70070 | <p>Application date: 10/7/2014</p> |
| Robert Monti | Paul Muller | Joey Bosco | Greg Mollere | | | | | | | | | | | | |
| 350 Evelyn Drive | 240 Wanda Street | 406 Maryland Drive | PO Box 186 | | | | | | | | | | | | |
| Luling, LA 70070 | Luling, LA 70070 | Luling, LA 70070 | Luling, LA 70070 | | | | | | | | | | | | |
| <p>◆ Location of Sites:</p> <p>100, 200, 202, 204, 208, 220, 300, 301, 302, 304, & 310 Paul Maillard Road and 105 Luling Avenue</p> | | | | | | | | | | | | | | | |
| <p>◆ Requested Action:</p> <p>Rezone of most lots on the west or upriver side of Paul Maillard Road from River Road to Luling Avenue (the Union Pacific Railroad crossing) from C-2 and R-1A(M) to C-3</p> | | | | | | | | | | | | | | | |

SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcels:**
Approximately four acres combined
- ◆ **Existing Land Use and zoning:**
This section of Paul Maillard Road is one of the few examples of a mixed use corridor –where residential and neighborhood commercial uses exist on the same street—in St. Charles Parish. While the uses are only mixed *vertically* in one structure and are in separate buildings elsewhere, there is a history of property containing both a family residence and the family businesses in this area.
- ◆ **Surrounding Land Uses and Zoning:**
To the west or upriver, properties on Ristroph Street are developed with seven (7) single family houses and mobile homes (zoning is R-1AM); upriver on River Road is a hair salon (zoning is C2). To the east or downriver, Ellington Avenue is developed with 11 site-built residences (zoning is R-1A). The wider neighborhood on both sides is mostly built-out single-family site-built homes in R-1A zoning.
- ◆ **Plan 2030 Future Land Use Category on the property:**
Mixed Use corridor
- ◆ **Utilities:**
Standard utilities serve the site.
- ◆ **Traffic Access and parking:**
Most of the lots have frontage on Paul Maillard Road, a two-lane state highway. As the sites currently are designed, parking is congested in the area. In the 50s and 60s, when the foot of Paul Maillard Road was a passenger ferry landing, businesses benefitted from angled on street parking in much of the street right of way. It appears that some parking in the vicinity uses at least a portion of the street right of way, but current code requirements require on-site parking which can be a burden on older commercial corridors.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section IV.9:

Appendix A1, Zoning Ordinance, Section 17.9:
Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.

- b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
- 2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
- 3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

[III.] *C-2 General commercial district*— Retail sales:

1. Use Regulations:

- a. A building or land shall be used for the following purposes:
 - (1) All uses allowed in C-1 District. (Ord. No. 88-5-5, 5-16-88)
 - (2) Retail sales (except auto and mobile home sales), usage, and storage
 - (3) Hotels, motels and apartment hotels
 - (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]
 - (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within [Chapter 3](#) of the St. Charles Parish Code of Ordinances.
 - (6) Animal hospitals where all animals are kept inside the building
 - (7) Service station
 - (8) Commercial recreation facilities
 - (9) Commercial greenhouses and nurseries
 - (10) Commercial schools
 - (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following: bicycles, radios, televisions, stereos and recorders, household, appliances, locksmith, typewriters, other similar uses
 - (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses: dressmakers, millinery, tailors, baking goods sales, laundry and dry cleaners, theatres (but not the drive-in type).
 - (13) Laboratories
 - (14) Customary accessory uses incidental to the above uses when located on the same lot
 - (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department
 - (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts
 - Cellular/communication towers. (Ord. No. 95-9-11, 9-18-95)
 - (17) Other uses of similar intensity.
 - (18) Mini-storage facilities (limited to one-story construction in C-2 district).
 - (19) Historic home site bed and breakfast.
- b. Special exception uses and structures include the following:
 - (1) Dwelling units contained within the office building
 - (2) Reserved
 - (3) Reserved
 - (4) Churches
 - (5) Movie theaters
 - (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

- c. Special permit uses and structures include the following:
 - (1) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (2) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (3) Office buildings for gaming operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) Motor vehicle repair. Automobile sales and service on designated federal and state highways; body repair activities being strictly prohibited in the C-2 zoning district.
 - (5) Heating and air conditioning service.
 - (6) Sheet metal shops
 - (7) Plumbing shops.
 - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (9) Bingo halls, video bingo parlors, and off-track betting establishments upon review of the planning commission and ordinance of the St. Charles Parish Council.

AND

[IV.] C-3. Highway commercial district— Wholesale and retail sales:

1. Use Regulations:

- a. A building or land shall be used for the following purposes.
 - (1) All uses allowed in the C-2 District. (Ord. No. 88-5-5, 5-16-88)
 - (2) Commercial auditoriums, coliseums or convention halls
 - (3) Retail manufacturing
 - (4) Motor vehicle sales and service
 - (5) Wholesale uses
 - (6) Warehouses (less than 10,000 sq. ft.)
 - (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities)
 - (8) Bottling works
 - (9) Dog pound
 - (10) Building supply
 - (11) Heating and air conditioning service
 - (12) Plumbing shops
 - (13) Motor vehicle repair
 - (14) Glass installation
 - (15) Fabrication of gaskets and packing of soft metal material
 - (16) Creameries
 - (17) Parcel delivery service
 - (18) Reserved. (Ord. No. 97-7-4, § VIII, 7-7-97)
 - (19) Frozen food lockers
 - (20) Public stables
 - (21) Bulk dairy products (retail)
 - (22) Animal hospitals
 - (23) Gymnasiums
 - (24) Sheet metal shops
 - (25) Upholstery
 - (26) Other uses of similar intensity
 - (27) Customary accessory uses incidental to the above uses when located on the same lot.
- b. Special exception uses and structures:
 - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
- c. Special permit uses and structures include the following:
 - (1) Barrooms, night clubs, lounges, and dancehalls.
 - (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) Reserved. (Ord. No. 01-5-18, § II, 5-21-01)
 - (5) Cellular installations and PCS (personal communication service) installations.
 - (6) Reserved. (Ord. No. 01-5-18, § III, 5-21-01)
 - (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
 - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
 - (10) Outdoor storage, when accessory to an otherwise permitted use in the district.

ANALYSIS

Staff will provide analysis and recommendation in a supplement.



Date Taken: 6/15/2013 1200 Block LA 52, Luling, LA

EXHIBIT

tabbles

A-4



Date Taken: 6/15/2013 700 Block LA 52, Luling, LA

EXHIBIT
A-5
tabbles



Date Taken: 6/15/2013 700 Block LA 52, Luling, LA

EXHIBIT

Labels

A-6



EXHIBIT

A-7

Date Taken: 6/15/2013 700 Block LA 52, Luling, LA



Date Taken 6/15/2013 200 Block LA 52, Luling, LA

EXHIBIT
A-8



Date Taken: 6/15/2013 2200 Block LA 52, Boutte, LA

EXHIBIT

A-9

tabbles



Date Taken: 6/15/2013 LA 52 at 1st Street, Luling, LA

EXHIBIT

A-3

bbble's

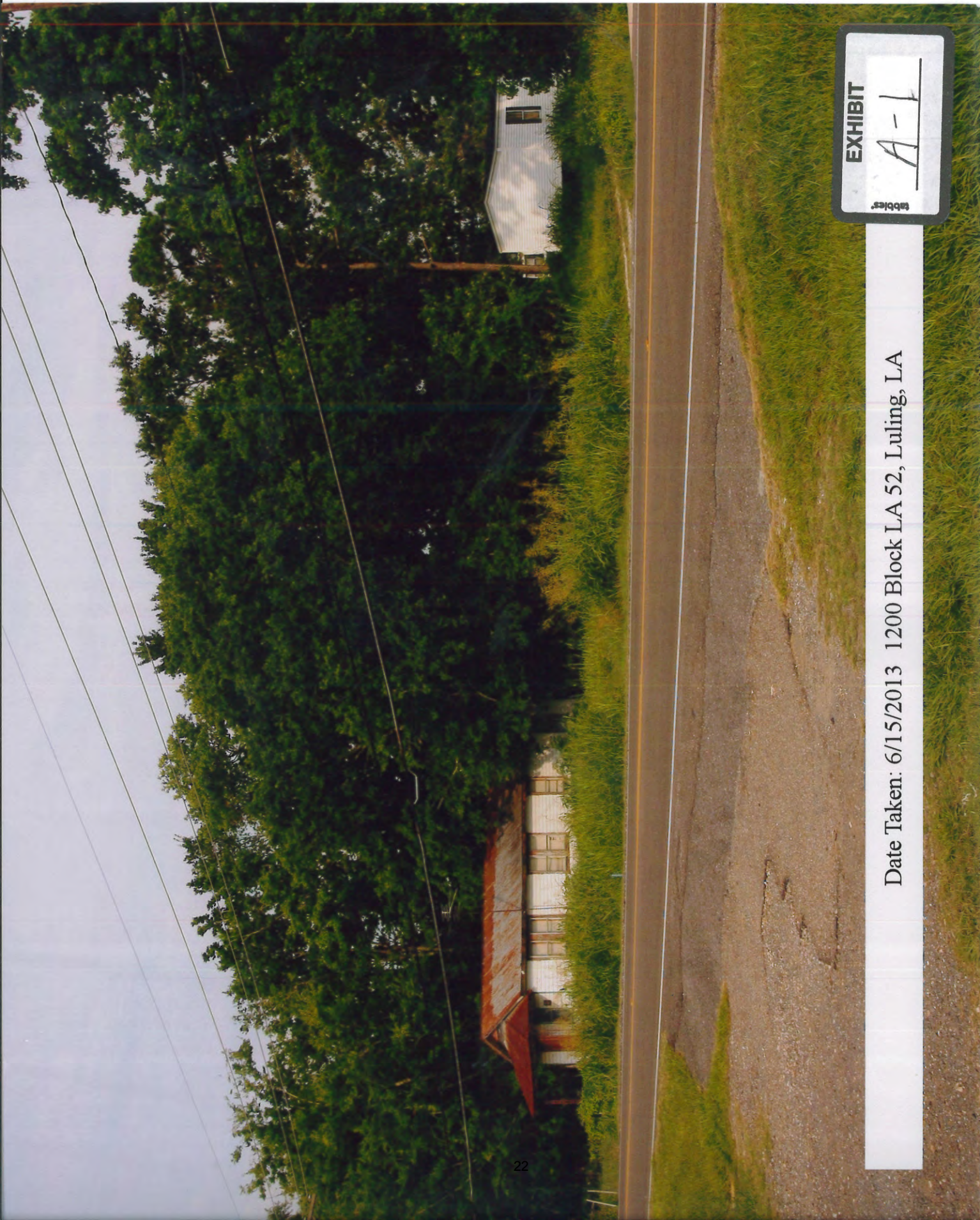


Date Taken: 6/15/2013 700 Block of LA 52, Luling, LA 70070

EXHIBIT

A-2

tabbies

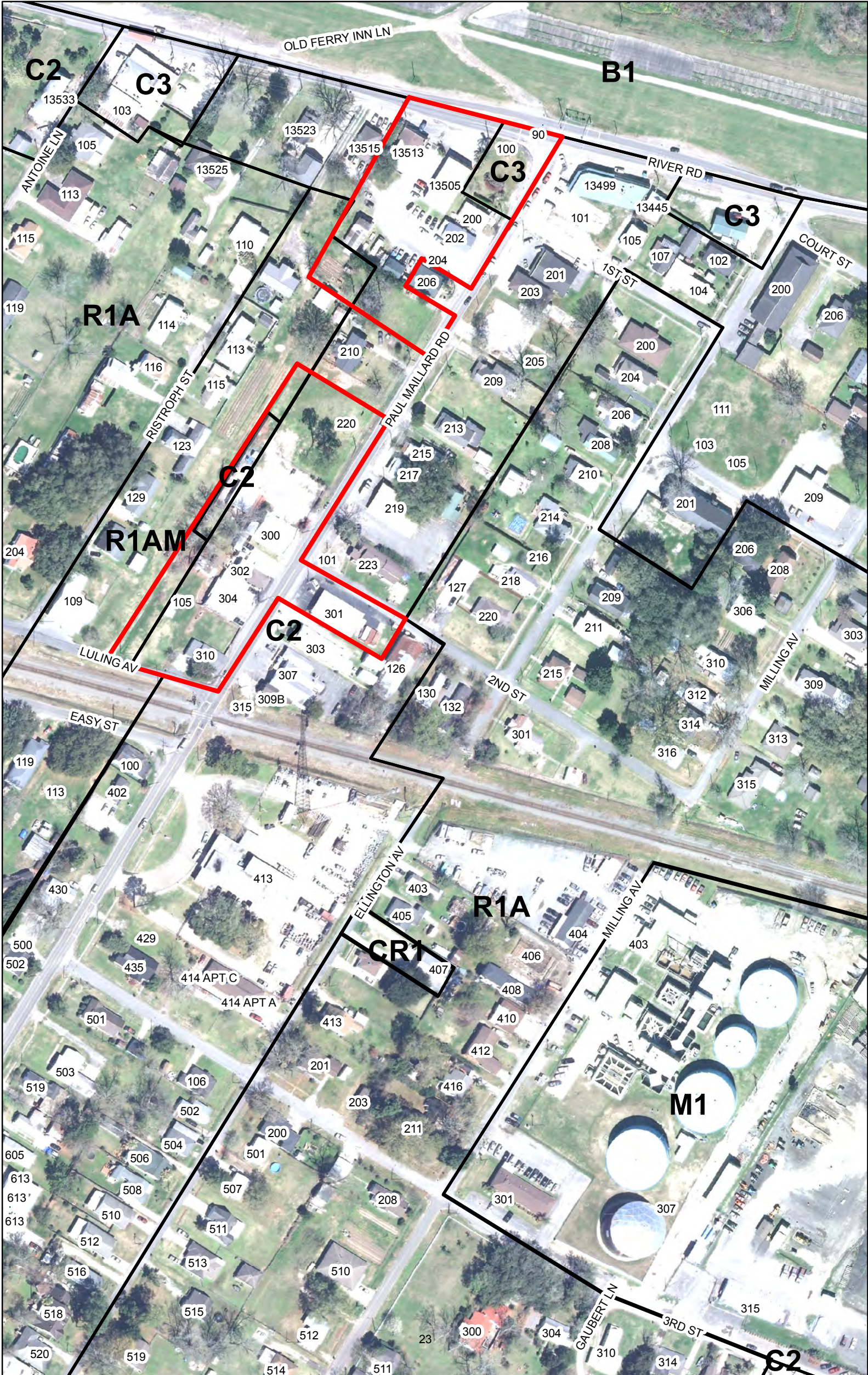


Date Taken: 6/15/2013 1200 Block LA 52, Luling, LA

EXHIBIT

A-1

Images



**St. Charles Parish
Department of Planning & Zoning**

LAND USE REPORT

CASE NUMBER: PZR 2014-18

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Application Date: 10/8/14
Alvin Guillard
1232 E Harding Street
Destrehan, LA 70047
504.377.6595
quartermen@yahoo.com
- ◆ **Location of Site:**
Lots 16-A of Square 79 of New Sarpy Subdivision (formerly lots 16-22)
- ◆ **Requested action**
Change of zoning from OL to C-2 on 11,200 sq ft lot
- ◆ **Purpose of Requested Action**
This property was permitted for clearing and filling by the Army Corps of Engineers in in 2011 (Permit No. MVN 2009-3151-EPP). That permit indicates a commercial storage building as the proposed use. The current rezoning request indicates a reception hall as the proposed use; however, with only 11,200 square feet and with no community sewer, it's unlikely this property can be developed for a reception hall. The applicant owns several properties in the area and has indicated that another property may be more suitable for a reception hall.

SITE – SPECIFIC INFORMATION

- ◆ **Size of parcel**
140' x 80' or 11,200 square feet
- ◆ **Existing Land Use and Zoning**
The site is currently OL; it is vacant but cleared and graded.
- ◆ **Surrounding Land Uses and Zoning**
The site is surrounded by OL zoning and vacant land that is wooded and likely wetland.
- ◆ **Traffic Access and parking**
The property has 140' of frontage on East Harding Street, a two lane Parish road with no shoulders. With 80' of depth, there area that could be developed for parking is limited—the maximum number of perpendicular parking stalls the site could accommodate is 33 (with no structures).
- ◆ **Future land use designation**
The future land use designation for this property is wetlands; however, the property was permitted for clearing and grading in 2011.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.

- b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
- 2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
- 3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

Appendix A, Zoning Ordinance, Section VI. C. [III] C-2 General commercial district:

[III.] C-2 General commercial district— Retail sales:

- 1. Use Regulations:
 - a. A building or land shall be used for the following purposes:
 - (1) All uses allowed in C-1 District. (Ord. No. 88-5-5, 5-16-88)
 - (2) Retail sales (except auto and mobile home sales), usage, and storage
 - (3) Hotels, motels and apartment hotels
 - (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]
 - (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within Chapter 3 of the St. Charles Parish Code of Ordinances.
 - (6) Animal hospitals where all animals are kept inside the building
 - (7) Service station
 - (8) Commercial recreation facilities
 - (9) Commercial greenhouses and nurseries
 - (10) Commercial schools
 - (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following: bicycles, radios, televisions, stereos and recorders, household appliances, locksmith, typewriters, other similar uses
 - (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses: dressmakers, millinery, tailors, baking goods sales, laundry and dry cleaners, theatres (but not the drive-in type)
 - (13) Laboratories
 - (14) Customary accessory uses incidental to the above uses when located on the same lot
 - (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department
 - (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts
 - (17) Other uses of similar intensity.
 - (18) Mini-storage facilities (limited to one-story construction in C-2 district).
 - (19) Historic home site bed and breakfast. (Ord. No. 13-7-6, § II, 7-1-13)
 - b. Special exception uses and structures include the following:
 - (1) Dwelling units contained within the office building
 - (2) Reserved
 - (3) Reserved

- (4) Churches
- (5) Movie theaters
- (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)
- c. Special permit uses and structures include the following:
 - (1) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (2) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (3) Office buildings for gaming operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) Motor vehicle repair. Automobile sales and service on designated federal and state highways; body repair activities being strictly prohibited in the C-2 zoning district.
 - (5) Heating and air conditioning service.
 - (6) Sheet metal shops
 - (7) Plumbing shops.
 - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (9) Bingo halls, video bingo parlors, and off-track betting establishments upon review of the planning commission and ordinance of the St. Charles Parish Council.
- 2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
- 3. Transportation Requirements: Arterial
- 4. Special Provisions:
 - a. Where any commercial use in a C-2 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.

ANALYSIS

New Sarpy Subdivision was platted in the 1920s as a large subdivision with predominantly 20' wide x 80' deep lots on small squares. The market drove the size of properties houses were built on, people bought as many lots as they rather than minimum lot sizes under the zoning ordinance. In 1981, the area was zoned C2 along River Road and R-1A(M) to the Canadian National Railroad. Soon after the 1981 zoning, the area was rezoned to R-1A at resident's request.

The result is a built-out neighborhood with commercial uses along River Road, and predominantly site-built houses of varying sizes to the railroad. Eighteen squares were developed on the north side of the railroad and another 54 squares with 2144 lots were drawn on a plat indicated as "investment lots." The streets that bounded the squares these investment lots are on were not built. The result is a large number of "paper lots" that have been sold to individual owners, but cannot be developed without the installation of infrastructure: streets, drainage, waterlines, sewer lines, gas, electricity, and telecommunications; further, most of these lots are wetlands. Owners of these lots inquire with Planning staff often about when infrastructure will be installed to permit them to build on their lots. The Parish has no plans to build streets or install infrastructure in this area. The Parish's current subdivision regulations offer citizens some protection by prohibiting the sale of lots prior to development.

The Guillard family bought some of these paper lots in the 80s and built a single-family house. The only other development in the area at the time was a five building apartment complex on a large site. A nightclub was built adjacent to the housing complex sometime in the 80s.

In 1981, the comprehensive zoning ordinance created an R3 zoning district around the apartment complex and the rest of the paper lots were zoned OL. There have been four changes to commercial zoning in the area; three resulting in permitted construction. There have been three residential permits in the area since 1981:

- In 1986, ordinance 86-7-11 rezoned 11,800 sq. ft. of the R3 area to C2 to permit neighborhood commercial uses that were proposed to be a laundromat, dry cleaner, deli, game room, convenience store and hair salon. Department records do not indicate that these uses developed.
- In 1988, ordinance 88-3-15 rezoned 8,000 square feet around the existing lounge to permit renovation and expansion of it.
- In 2003, the applicant for this rezoning petitioned to change 14,400 square feet to C3 to build a commercial storage building (ordinance 03-6-7). At that time, the Parish had occupied much of the area zoned R3 with a laydown yard.
- In 2007, ordinance 07-5-5 rezoned 43,200 square feet of property owned by a religious institution that had some buildings on the site and wished to expand. While the expansion could have been permitted under the OL zone, the change to C2 increased the buildable area for the church (C2 has smaller minimum yard sizes than OL).

The Planning Department recommended approval of every one of those rezoning requests. The result is that this section of East Harding Street in is sparsely developed with low-intensity uses that do not generate steady traffic and that are served by individual utilities (sewer in particular, but drainage is also not developed in this area as a complete system).

While this request could be considered a spot zone, it appears that zoning *precedent* on these investment lots is to recognize a property owner’s efforts to permit and complete clearing, filling and grading and approve rezoning when that difficult work is complete. For that reason **the request meets all the criteria of the third test**, which is designed to ensure that a proposed zoning change is in keeping with zoning law and precedent.

Considering the history of these investment lots and of zoning changes in the area, granting this request would not be capricious or arbitrary in nature or intent. Likewise, rezoning this property would not create a monopoly, or limit the value or usefulness of neighboring properties, particularly because owners of these investment lots inquire often about when development will occur in the area; owners of these investment lots appear to hope to see development in the area which further suggests granting the request would not adversely affect the reliance that neighboring property owners or occupants have placed upon existing OL zoning. While granting the request will *look* like a spot of C2 in an OL zone, the peculiar nature and history of these lots is that ad hoc development is what’s likely to occur.

DEPARTMENT RECOMMENDATIONS
<u>Approval.</u>

FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "AE" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-0125C DATED 5/2/2003 LOMR. A. THIS PLAT IS CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE DIRECTION OF THE UNDERSIGNED AND COMPLIES WITH THE REQUIREMENTS OF LOUISIANA'S "STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS B SURVEY. B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVITUDES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN. C. MINIMUM SETBACK LINES AND SERVITUDES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT. THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED FOR FINAL DETERMINATION. D. NO DITCHES, UNDERGROUND LINES OR CONDUITS SHOWN.

SURVEYOR'S NOTES:

DATE: SEPTEMBER 18, 2014

SURVEY REFERENCE: NEW SARPY SUBDIVISION, ST. CHARLES PARISH BY BLYTHE CO., INC.

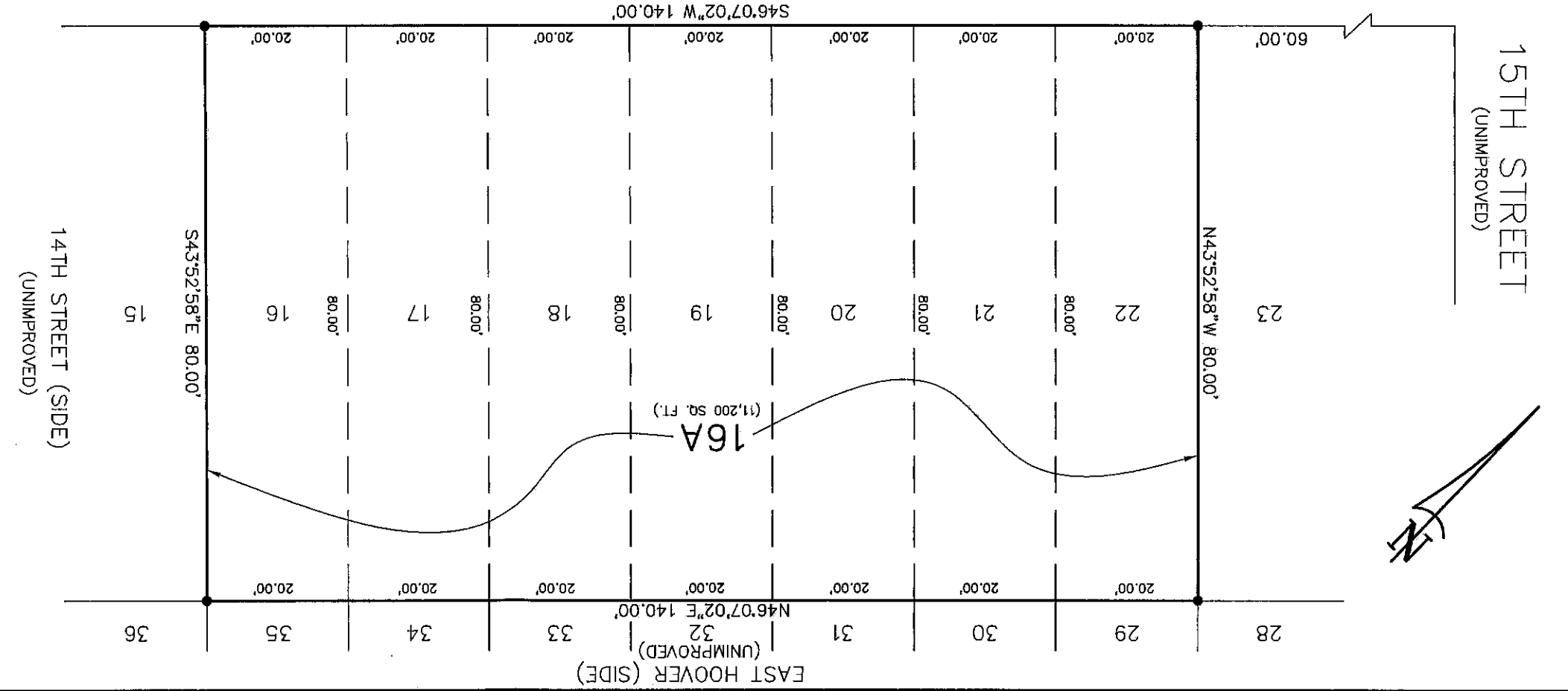
BASIS OF BEARING: BEARINGS HEREON ARE REFERENCED TO GRID NORTH AS ESTABLISHED BY THE LOUISIANA STATE PLANE COORDINATE SYSTEM, LOUISIANA SOUTH ZONE USING LEICA SMARTNET SOLUTION 10/7/2014 NAVD83/NAD 83 GEOID12A.

TITLE: SURVEY PLAT AND RESUBDIVISION OF LOTS 16, 17, 18, 19, 20, 21 & 22, SQUARE 79, NEW SARPY SUBDIVISION INTO A LOT HEREIN DESIGNATED AS LOT 16A, SQUARE 79, NEW SARPY SUBDIVISION NEW SARPY, ST. CHARLES PARISH, LOUISIANA.

EAST HARDING STREET

LEGEND

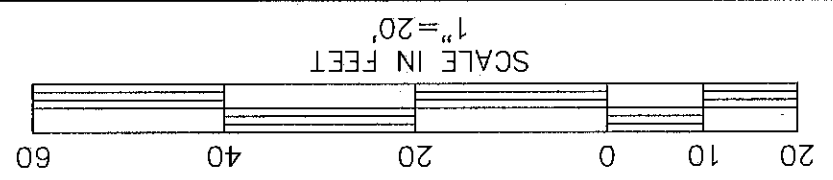
● #4 IRON ROD SET



RIVERLANDS SURVEYING COMPANY

505 HEMLOCK STREET
LAPLACE, LA 70068
1-800-248-6982
985-652-6356

DRAWN BY: BJD
DRAWING NO. MM0828



RECORDED IN THE CLERK OF COURT'S OFFICE

ST. CHARLES PARISH ON THE 23

DAY OF 24. 2014 IN BOOK 888

FOLIO 737 ENTRY # 401020

DEVELOPER: ALVIN GUILLARD
1232 EAST HARDING STREET
NEW SARPY, LA
504-512-0432

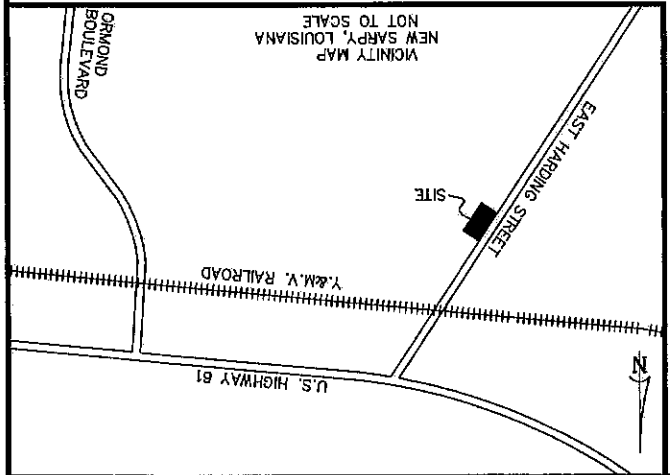
APPROVED: [Signature]
DATE 10/21/14

PARISH PRESIDENT

DIRECTOR, DEPT. OF PLANNING AND ZONING DATE 10-10-14

IS MADE IN ACCORDANCE WITH LA. REVISED STATUTES 33:5051 ET. SEQ. AND CONFORMS TO ALL PARISH ORDINANCES GOVERNING THE SUBDIVISION OF LAND.

ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY EXTENSIONS, RELOCATION'S OR MODIFICATIONS SHALL BE MADE BY AND SOLELY AT THE LOT OWNER'S EXPENSE



[Signature]
STEPHEN P. FLYNN
P.L.S. LA. ST. REG. NO. 668



St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZS-2014-48

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:** **Application Date:** 6/9/14
- | | |
|---|------------------------|
| Ridgeland Properties LLC | Fahrig & Sons, LLC |
| PO Box 518 | 1360 Magnolia Ridge Rd |
| Metairie, LA 70004 | Boutte LA 70039 |
| 985.785.9512 | |
| <u>levertstcharles@bellsouth.net</u> | |
- ◆ **Location of Site:**
Between 1070 and 1330 Magnolia Ridge Rd.
- ◆ **Requested Action:**
Resubdivision of Portion of Parcel A of Ridgeland Properties LLC, Portion of Property of Mrs. Henrietta Hines, & Lot 21-A of Magnolia Ridge Ranchettes Phase 2A into Lots 21-A-1, 21-A-2, & 21-A-3.

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
Hundreds to thousands of acres.
- ◆ **Plan 2030 Recommendations:**
Low Density Residential
- ◆ **Zoning and Land Use:**
OL. Large-lot residential at 1070, remainder is vacant and wooded, possibly wetlands as well.
- ◆ **Surrounding Land Uses and Zoning:**
OL zoning throughout.
Large lot residential abuts the sides of site;
Across Magnolia Ridge Rd: vacant presently, future large lot residential;
Rear of lot: wooded and possibly jurisdictional wetlands;
- ◆ **Utilities:**
Existing
- ◆ **Traffic Access:**
Magnolia Ridge Road.

APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure E. 4.

C. Minor Resubdivisions.

In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section. The Planning and Zoning Commission has the authority to approve or disapprove such resubdivisions without Council action, provided the required public notice and public hearing actions have occurred. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein.

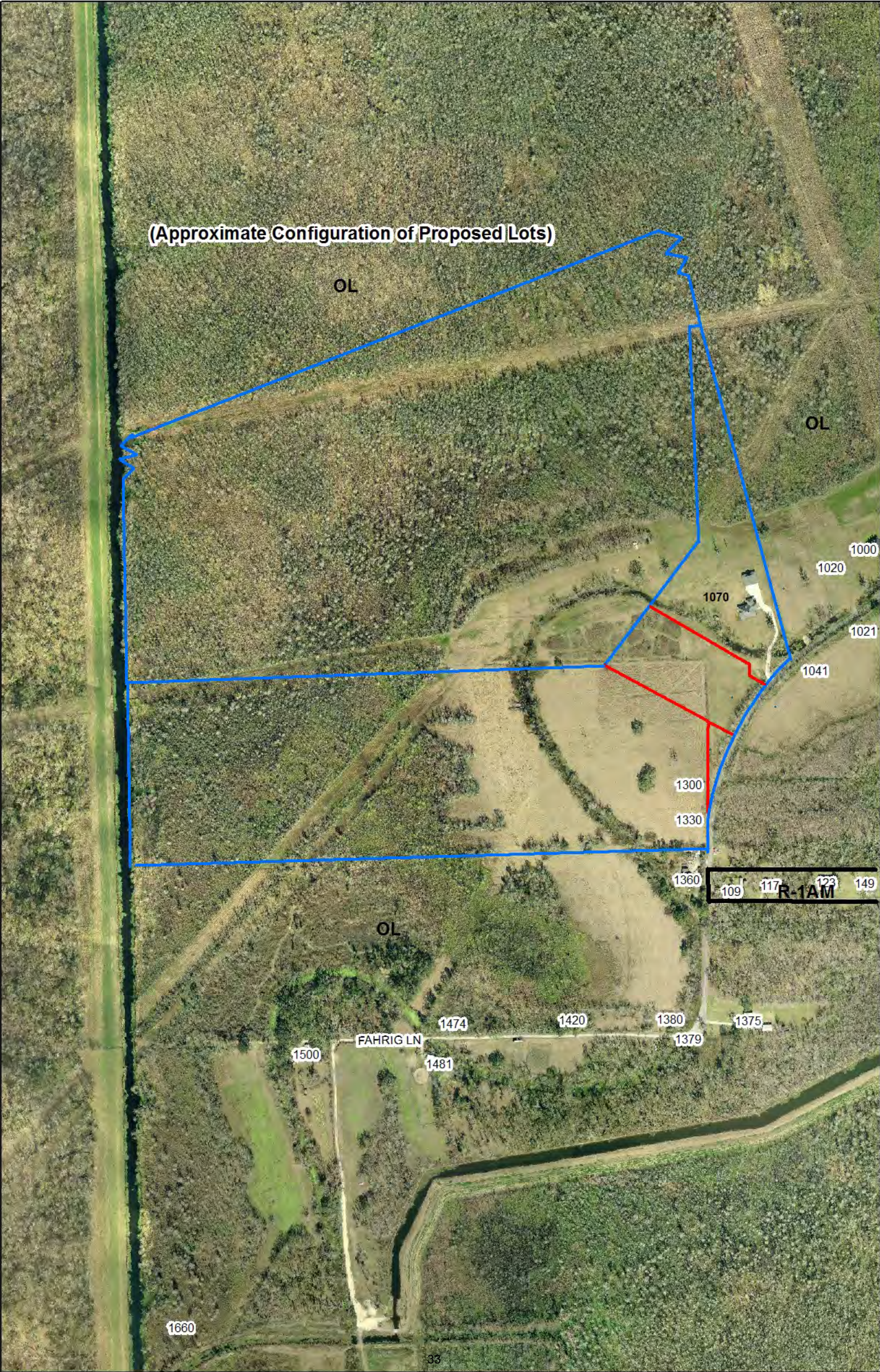
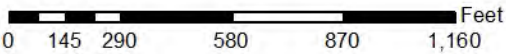
ANALYSIS

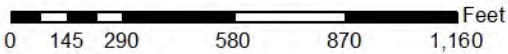
These applicants are requesting to resubdivide 3 lots fronting the western side of the 1100 thru 1300 block of Magnolia Ridge Road into 5 lots. The site is located approximately 650 feet from a 200-foot LP&L Servitude that crosses Magnolia Ridge Road. All lots, **except the Remainder of Parcel A, Ridgeland Properties LLC**, will front on Magnolia Ridge Road. All lots will exceed the minimum frontage and square foot requirements for Open Land zoning. Grand Bayou meanders through a portion of the site and several gas pipelines and an LP&L right of way run through the site. A significant portion of 4 lots is wooded but the remaining cleared portions of all lots are developable.

The applicants have given no indication of what is intended for the lots identified on the plat as “The Remainder of Parcel A, Ridgeland Properties LLC” or “Remainder of Mrs. Henrietta Hines.” These lot portions have been identified on the plat as “not a part” and “not surveyed.” But any subsequent lots created from these remaining portions will also be subject to the minimum frontage and square foot requirements. Evidence of a wetlands determination may also be required for those potential future subdivided lots but not subject to this application.

DEPARTMENTAL RECOMMENDATION

Approval.





2010-0094

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO.**

An ordinance to amend the Code of Ordinances Appendix A, St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations., B. Residential districts, [II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes-Medium density., 3. Special Provisions, by amending c. and adding e. and f.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Appendix A, St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations., B. Residential districts, [II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes-Medium density., 3. Special Provisions, by amending c. and adding e. and f. as follows:

AS WRITTEN:

c. Skirting or foundation plantings as approved by the Zoning and Regulatory Administrator in accordance with the manufacturer's installation instructions to ensure aesthetic compatibility with the residential character of the neighborhood. The entire underfloor of the home shall be completely enclosed, except for the required openings.

REVISED:

c. Skirting or foundation plantings as approved by the Zoning and Regulatory Administrator in accordance with the manufacturer's installation instructions to ensure aesthetic compatibility with the residential character of the neighborhood. **There shall be no provisions or allowances for temporary power relative to structures requiring skirting. The required skirting and all items noted on the Inspection Checklist (setback compliance, skirting completed, proper tie-downs, final FEMA or grade certificate, final sewer inspection and approval by the Department of Wastewater, plumbing inspection and approval by the building code inspector, culvert (when required) inspected and approved by the Department of Public Works, driveway with two (2) parking spaces, and posted municipal address number) shall be met and/or in place as the case may be prior to the Parish releasing power with the exception of cases where the applicant indicates that 1) the installation of the skirting needs to be delayed so as to not hinder the installation and the checking of the AC system, and/or 2) the skirting has been purchased, is to be installed by a contractor, and its installation is the only outstanding item on the Inspection Checklist. The power shall only be released upon the applicant providing to the Administrator a copy of the installation contract and a notarized statement noting the applicant agrees to have the skirting installed within twelve (12) months following the release of power. The entire under floor of the home shall be completely enclosed, except for the required openings. The skirting shall be required to be in place and kept in good repair at all times following its initial installation. Skirting affected and/or destroyed by an act of God must be repaired and/or reinstalled within one (1) year following the act of God.**

ADD:

e. Driveway(s) and driveway culvert(s) where required shall be installed in order to provide adequate off-street parking.

f. All code requirements relating to mobile homes, all items noted on the Inspection Checklist, and the final electrical inspection by the building code inspector shall be completed prior to issuance of the Final Certificate of Compliance.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2014, to become effective five (5) days after publication in the Official Journal.

2010-0094 ORD (05-25-14) REVISED VERSION - skirt Amend Code-Appendix A Sec VI II R-1AM

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2014-0049

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____**

An ordinance to amend the Code of Ordinances
Appendix A, Section XIV. Amendments and
Petitions and Appendix A, Section XV.
Amendment Procedure to modify the reporting
and recommendation requirements.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code, Appendix A, Section XIV.
Amendments and Petitions A. Initiation of Amendments, under No such amendment shall
be effective unless: 1. is hereby revised to read as follows:

1. The Council has received a full report from the Planning and Zoning
Department on the merits of the proposed amendment including a
recommendation by the Commission **contained within a verbatim
transcript of the portion of the Commission meeting relating to
the proposed amendment; and**

SECTION II. That the St. Charles Parish Code, Appendix A, Section XV.
Amendment Procedure A. is hereby revised to read as follows:

The Council may amend this Ordinance when amendments are
properly introduced as outlined in Section XIV. No such amendment
shall be effective unless (1) the Council has received a full report
from the Planning and Zoning Department on the merits of the
proposed amendment including a recommendation from the
Commission **contained within a verbatim transcript of the portion
of the Commission meeting relating to the proposed
amendment; and** (2) the Council has held a public hearing on the
proposed amendment offering standard public notice according to
the Council rules. **During the Commission's discussion on the
proposed amendment and prior to a Commissioner casting a
vote to make a recommendation which differs from the Planning
Staff's recommendation, the Commissioner shall advise the
Commission of the basis or reasoning which warrants the
differing recommendation.**

SECTION III. That the St. Charles Parish Code, Appendix A, Section XV.
Amendment Procedure D. is hereby revised to read as follows:

- D. Upon receipt of a petition for a change or amendment, the
Council shall refer the matter to the Commission which shall
have thirty (30) days to render a recommendation **to the
Council based** upon the merits of the **proposed** amendment.
~~The member making a motion which differs from the Planning
Staff recommendation may render a written statement in
suitable form, for transmittal by the Secretary with the
Commission and Staff reports to the Council.~~ **In cases where
the Planning and Zoning Department does not offer a
recommendation, Commissioner's casting a vote to deny
shall advise the Commission during its discussion on the
proposed change or amendment of the basis or reasoning
which warrants the vote to deny prior to the casting of the
vote. During the Commission's discussion on the
proposed amendment and prior to a Commissioner casting
a vote to make a recommendation on a rezoning petition
which differs from the Planning Staff's recommendation,
the Commissioner shall advise the Commission of the
basis or reasoning which warrants the differing
recommendation.** In addition, any other Commission
member may **make a statement regarding their position at
the meeting or may** submit a written opinion on the matter,
which shall be transmitted to the Council by the Secretary along
with **the verbatim transcript of the portion of the
Commission meeting relating to the proposed rezoning
amendment that contains the Commission's
recommendation report.** These may refer to the following
guidelines and criteria.

SECTION IV. That the St. Charles Parish Code, Appendix A, Section XV. Amendment Procedure D. 3., the last paragraph is hereby revised to read as follows:

~~As far as possible, the~~ The Planning Staff ~~should~~ **shall** base its rezoning analyses on these criteria. The Planning and Zoning Commission may state in its recommendations to the Council: (i) its concurrence with ~~or rejection of,~~ any or all of the proponents' case for the suggested amendment or the Planning and Zoning Department's recommendation, and/or (ii) its position relative to proponents' statements on the case. **During the Commission's discussion on the proposed amendment and prior to a Commissioner casting a vote to make a recommendation which differs from the Planning Staff's recommendation, the Commissioner shall advise the Commission of the basis or reasoning which warrants the differing recommendation.** Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations **contained within a verbatim transcript of the portion of the Commission meeting relating to the proposed rezoning amendment.**

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2014, to become effective five (5) days after publication in the Official Journal.

2014-0049 (10-06-14) Revised Amend Code - Reports from PZ Commission

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____



V.J. ST. PIERRE, JR.
PARISH PRESIDENT

MICHAEL J. ALBERT, AICP
PLANNING DIRECTOR

ST. CHARLES PARISH

DEPARTMENT OF PLANNING & ZONING


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(985) 783-5060 • Fax: (985) 783-6447

Website: www.stcharlesparish-la.gov

MEMORANDUM

TO: Richard Gibbs
St. Charles Parish Planning Commission Chair

FROM: Marny Stein 
Development Review Planner

DATE: October 20, 2014

SUBJECT: Paul Maillard Road Revitalization Plan

The final document for the Paul Maillard Road Revitalization Plan is attached. Funded largely by a grant from the Department of Housing and Urban Development's Office of Economic Resilience (formerly the Office of Sustainable Housing and Communities), the plan effort started February 2013. An 18 seat Executive Committee representing area residents, industry, and institutions as well as the New Orleans Regional Planning Commission led the effort, and community input into the plan was robust.

The lead project consultant, Ed Elam, gave a brief presentation on the plan's findings and recommendations at the October 2 Planning Commission meeting. A resolution to adopt the plan is forthcoming in the Commission's November 6 agenda. The Planning Department is organizing a public rollout with Raven Land to invite German Coast Farmers' Market to the corridor again at the Winnwood Shopping Center, 1313 Paul Maillard Road, from 2:30 pm to 6:00 pm.

cc: Members of the St. Charles Parish Planning Commission

RESOLUTION

A resolution adopting the Paul Maillard Road Revitalization Plan

- WHEREAS,** St. Charles Parish 2030, the Parish's comprehensive land use plan adopted June 20, 20011, identifies Paul Maillard Road as a mixed use corridor activity center in need of revitalization; and,
- WHEREAS,** ~~although~~ the corridor has a rich history and is developed home to several with institutions that have the capacity to be anchors for economic growth; bring large investment to the corridor; and
- WHEREAS,** the effects of its neighborhoods show signs of disinvestment and pockets of blight; have hindered the potential for growth and development both in the residential and commercial aspects of the corridor; andand,
- WHEREAS,** in November 2011, the Parish was awarded a Sustainable Communities Challenge Grant from the Department of Housing and Urban Development (HUD) in the amount of \$442,422 to prepare a revitalization plan for the corridor; and,
- WHEREAS,** the St. Charles Parish Council Resolution 5883 authorized the cooperative endeavor agreement between the Parish and HUD to fund and complete the plan; and,
- WHEREAS,** the St. Charles Parish Council also approved and authorized an agreement between Burk-Kleinpeter, Inc. (BKI) and the Parish to prepare a corridor revitalization plan for Paul Maillard Road; and,
- WHEREAS,** property owners and businesses owners on the corridor joined representatives of area industry, institutions, and Parish government on an 18-seat committee to develop the plan; and,
- WHEREAS,** additional stakeholders and citizens were engaged in the effort by telephone, online, on community chalkboards, through interviews and surveys, at focus groups, and at four public meetings; and,
- WHEREAS,** these stakeholders helped to identify three character areas: a main street, a town center, and a rural character area on the corridor to guide revitalization; and,
- WHEREAS,** these stakeholders also helped to identify catalytic development sites within each character area; and,
- WHEREAS,** the consultant team offers recommendations to help attract retail and housing development to these catalytic sites while unifying the corridor through context sensitive streetscape improvements and a land use overlay zone; and,
- WHEREAS,** ~~the St. Charles Parish in cooperation with the community citizens who live and work along Paul Maillard Road are is~~ eager to see the vision and changes the suggested by the revitalization plan ~~suggests are possible in the area~~implemented:

NOW, THEREFORE, BE IT RESOLVED THAT THE ST. CHARLES PARISH PLANNING AND ZONING COMMISSION, approves and adopts the Paul Maillard Road Revitalization Plan dated October 10, 2014.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

The resolution was declared adopted this __ day of _____, 2014.

Dick Gibbs, Chairman
St. Charles Parish planning and Zoning Commission